

**REMARKS****A. Status of the Claims and Explanation of the Amendments**

Prior to the submission of this paper, claims 1-18 were pending. In this paper, Applicants have amended claims 1 and 8 and respectfully request the cancellation of claims 5-7 and 16-18 without prejudice or disclaimer. No new matter has been introduced. In light of the foregoing amendments, Applicants respectfully submit that all of the remaining claims (claims 1-4 and 8-15) are in condition for allowance.

Claims 1 and 8 have been amended to recite a light emitting element containing an “organic” electroluminescent material. Support for this amendment is found in original claims 5 and 16; and at page 7, lines 27-29 of the specification as filed.

Claim 1 has been amended to include the limitations of claim 7. Claim 8 has been amended to include the limitations of claim 18. Therefore, claims 1 and 8 as amended recite a passivation film is located on the first electrode “to prevent moisture from entering the light emitting element.” Support for this amendment is found at page 7, lines 15-16 and page 9, lines 19-25 of the specification as filed.

Claims 1 and 8 have been further amended to recite the thickness of the passivation film being less than that of the substrate. Support for this amendment is found at page 7, lines 16-18 of the specification as filed, and in Figures 1 and 2.

Claims 1-4, 6, 8-15 and 17 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 5,504,599 to Okibayashi et al. (“Okibayashi”). Claims 5 and 16 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Okibayashi in view of U.S. Patent No. 6,507,379 to Yokoyama et al. (“Yokoyama”) and further in view of U.S. Patent No. 5,684,365 to Tang et al. (“Tang”). Claims 7 and 18 were rejected under 35

U.S.C. § 103(a) as allegedly being unpatentable over Okibayashi in view of Yokoyama and further in view of U.S. Patent No. 6,830,494 to Yamazaki et al. (“Yamazaki”).

B. Applicants’ Claims Are Not Anticipated by the Cited References

Applicants respectfully tranverse the rejections of claims 1-4, 6, 8-15 and 17 under 35 U.S.C. §102(b) as allegedly being anticipated by Okibayashi.

Amended claims 1 and 8 recite a light emitting element containing an organic electroluminescent material and a passive film made of silicon nitride, silicon oxide, or diamond-like carbon. In the Office Action dated January 12, 2006, the Examiner correctly indicated that Okibayashi does not disclose an organic electroluminescent material nor does Okibayashi disclose a passive film made of silicon nitride, silicon oxide, or diamond-like carbon. (Office Action date January 12, 2006, p.4-5).

In addition, Applicants’ amended claims 1 and 8 recite “a passivation film... to prevent moisture from entering the light emitting element... made of silicon nitride, silicon oxide, or diamond-like carbon....” Okibayashi does not teach, disclose, or suggest a passive film as recited by claims 1 and 8. Rather, Okibayashi discloses in Figs. 1(1) and 1(2) a liquid crystal display device 20 comprising, inter alia, a liquid crystal element part 20a and a lighting part that includes an EL light source 25, an insulation layer 26 and a glass substrate 27. The insulation layer 26 is made of silicone resin or silicone oil. In the liquid crystal display device 20, in order to prevent moisture from entering the EL light source 25, the EL light source 25 is surrounded by the glass substrate 27 and a lower substrate 22 of the liquid crystal element part 20a. That is, the insulation layer 26 is not to prevent moisture from entering the EL light source 25. Furthermore, one skilled in the art would understand that an insulation layer 26 made of silicone resin or

silicone oil does not have a sufficient moisture-proof property.

Okibayashi does not teach, disclose, or suggest all of the claim elements of applicants' amended claims 1 and 8. For at least the reasons discussed above, Applicants respectfully submit that amended claims 1 and 8 are not anticipated by the Okibayashi and that the §102(b) rejections should be withdrawn. Because claims 3-4 and 9-15 depend therefrom and include all of the limitations of claims 1 and 8, for at least the reasons as above, Applicants believe that these claims are also allowable and respectfully request that the Examiner also withdraw the §102(b) rejections to these claims.

C. Applicants' Claims Are Patentable Over the Cited References

Claims 5 and 16 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Okibayashi in view of Yokoyama and further in view of Tang. Claims 7 and 18 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Okibayashi in view of Yokoyama and further in view of Yamazaki. Claims 5, 7, 16 and 18 have been cancelled. Applicants request that the Examiner withdraw the §103(a) rejections to these claims.

Because claims 1 and 8 were amended to include the limitations of cancelled claims 5, 7, 16 and 18, in the interest of expediting the prosecution of this application, Applicants will now address the Examiner's §103(a) rejection with regards to amended independent claim 1 and 8 and claims 3-4 and 9-15 which depend therefrom.

Neither Yokoyama nor Tang, alone or in combination cure all of the deficiencies of Okibayashi. In particular, Applicants do not see where either Yokoyama, or Tang, alone or in combination, teaches, discloses, or suggests "a passivation film located on the first electrode to prevent moisture from entering the light emitting element, wherein the passivation film is of a

light transmittance type and covers the entire surface of the first electrode... made of silicon nitride, silicon oxide, or diamond-like carbon....” With respect to Yokoyama, Applicants do not see where the reference contains any mention of a passivation film nor does it contain any mention of preventing moisture from entering a light emitting element. Tang also does not contemplate a passivation film that prevents moisture from entering the light emitting element. The only disclosure of a passivation film is one etched from indium tin oxide.

With regards to Yamakazi, although the reference discloses a passivation film for protecting the TFT from alkali metals and from moisture, the passivation film is not located on a first electrode where the first electrode is located on a first surface of a light emitting element. Accordingly, Yamakazi does not disclose a passivation film as recited by Applicants’ claims 1 and 18.

For at least these reasons, Applicants respectfully assert that Applicants’ claims 1 and 8 are not unpatentable over the cited references and request that the Examiner withdraw the §103(a) rejections to these claims. Because claims 3-4 and 9-15 depend therefrom and include all of the limitations of claims 1 and 8, for at least the reasons as above, Applicants believe that these claims are also allowable and respectfully request that the Examiner also withdraw the §103(a) rejections to these claims.

**CONCLUSION**

Applicants respectfully request entry of the foregoing remarks into the file of the application. Applicants believe that each ground for rejection has been successfully overcome or obviated, and that all pending claims are in condition for allowance. Withdrawal of the Examiner's rejections, and allowance of the application, are respectfully requested.

**AUTHORIZATION**

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 5000-5112. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, the Commissioner is requested to grant a petition for that extension of time to make this response timely, and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 5000-5112. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,  
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Dated: April 12, 2006

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